

Article - Family Law

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§10–115.

- (a) In this section, “legal proceeding” means:
- (1) a civil action for child support;
 - (2) a paternity proceeding under Title 5, Subtitle 10 of this article;
- and
- (3) a proceeding under Subtitle 3 of this title.
- (b) In any support action in which the Administration is providing child support services under federal law, the Administration may initiate a legal proceeding to establish, modify, or enforce a duty of support.
- (c) In a legal proceeding, the Administration shall be represented by:
- (1) the Attorney General;
 - (2) the State’s Attorney, if the State’s Attorney has agreed to provide representation under subsection (g) of this section; or
 - (3) a qualified lawyer who is appointed by and subject to supervision and removal by the Attorney General.
- (d) An attorney who initiates or participates in a legal proceeding under this section shall represent the Administration.
- (e) Representation of the Administration by an attorney under this section:
- (1) creates an attorney–client relationship between that attorney and the Administration; and
 - (2) does not create an attorney–client relationship between that attorney and any other person.
- (f) The attorney representing the Administration in a legal proceeding under this section shall advise the person whom the Administration has approved for child support services that the attorney’s representation of the Administration does not create an attorney–client relationship between the attorney and that person.

(g) (1) A State's Attorney may make a written agreement with the Secretary of Human Services and the county to provide legal representation for a fiscal year. An agreement shall be made by September 1 of the year preceding the fiscal year for which representation will be provided.

(2) An agreement shall establish reasonable administrative and fiscal requirements for:

- (i) providing and continuing representation; and
- (ii) reimbursement.

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